

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:19-cv-00251-MR-WCM**

JANET E. MEADOWS,

Plaintiff,

vs.

**BLUE RIDGE COMMUNITY
COLLEGE,**

Defendants.

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ORDER

THIS MATTER is before the Court on the Defendant's Motion to Dismiss Plaintiff's First Amended Complaint [Doc. 10] and the Magistrate Judge's Memorandum and Recommendation [Doc. 14] regarding the disposition of that motion.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable W. Carleton Metcalf, United States Magistrate Judge, was designated to consider the Defendant's motion and to submit a recommendation for its disposition.

On May 5, 2020, the Magistrate Judge filed a Memorandum and Recommendation in this case containing conclusions of law in support of a recommendation regarding the Defendant's motion. [Doc. 14]. The parties

were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has now expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Defendant's Motion to Dismiss should be granted with respect to the Plaintiff's claim under the Americans with Disabilities Act, 42 U.S.C. § 12101, and that this Court should decline to exercise supplemental jurisdiction over the Plaintiff's remaining state law claims.

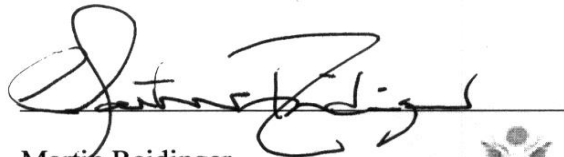
IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 14] is **ACCEPTED**; the Defendant's Motion to Dismiss [Doc. 10] is **GRANTED**; and the Plaintiff's claim arising under the Americans with Disabilities Act is hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that, in the exercise of its discretion, the Court declines to exercise supplemental jurisdiction over the Plaintiff's remaining state law claims. Accordingly, this matter is hereby **REMANDED** to the General Court of Justice, Superior Court Division, of Henderson

County, North Carolina, for further proceedings with respect to the Plaintiff's state law claims.

IT IS SO ORDERED.

Signed: May 26, 2020


Martin Reidinger
United States District Judge

